IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

WP(C).No. 27345 of 2003(E)

PETITIONER:

V.SEENATH, D/O.USSAN KOYA HAJI,
KURUVATTUR AMSOM, PARAMBIL DESOM, KOZHIKODE DIST.

BY ADV. SRI.G.HARIHARAN

RESPONDENTS:
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1. SUB REGISTRAR,
KAKKODI, KOZHIKODE DISTRICT.

2. KERALA STATE HOUSING BOARD,
KOZHIKODE DISTRICT, KOZHIKODE-6,
REPRESENTED BY ITS ACCOUNTS OFFICER.

BY ADV. SRI.A.JAYAKUMAR, SC
GOVERNMENT PLEADER -ADV. SMT.R.BINDU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 27345/2003

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE DEED OF RECEIPT DATED 24/06/2003.

EXT.P2 COPY OF THE MEMO ISSUED BY THE SUB REGISTRY KAKKODI ON 16/08/2003.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 27345 of 2003

Dated, this the 5th day of March, 2007

J U D G M E N T

Petitioner is challenging Ext.P2 order, where under the Sub Registrar has demanded registration fee @ 2% for registration of receipt. It is seen that petitioner availed a loan from the 2nd respondent by mortgaging property. The loan is repaid, which is evident by receipt produced by the petitioner. In the circumstance, what is required is not registration of the receipt but registration of document redeeming the property mortgaged to Housing Board. In view of the above, it is for the parties to present the release deed in the stamp paper remitting registration fee and on completion of the above formality, 1st respondent will register the redemption deed.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg